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PTO/SB/64 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
88-001

First named inventor: WOOD, Sylvester

Application No.: 10/604,047

Art Unit: 2838

Filed: 06/24/2003

Examiner: Patel, R. B.

Title: Watt Power Device

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 750.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of corrected drawings (identify type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1000 + 18.

- ☒ has been paid previously on December 24, 2004.
☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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750.00 op

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<u></u>	<u>May 12, 2005</u>
Signature	Date
<u>Mitchell A. Smolow</u>	<u>43,140</u>
Typed or printed name	Registration Number, if applicable
<u>720 Hampton Road</u>	<u>570-714-4000</u>
Address	Telephone Number
<u>Shavertown, PA 18708</u>	
Address	

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.

5/20/2005

Date



Signature

Mitchell A. Smolow

Typed or printed name of person signing certificate



Application No.: 10/604,047

Filing Date: 06/24/2003

Title: Watt Power Device

Inventor: Wood, Sylvester

Group Art Unit: 2838

Examiner: Patel, R. B.

Attorney Docket No.: 88-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CORRECTED DRAWINGS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby files the corrected drawings required in the December 2, 2004 Notice of Allowability concurrent with his Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b).

A Credit Card Payment Form is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 502,209.

Respectfully submitted,

Date: 05/20/2005

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10/256,688
Attorney Docket No. 44-003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/604,047

Inventor: Wood, Sylvester

Filing Date: 06/24/2003

Group Art Unit: 2838

Title: Watt Power Device

Examiner: Patel, R. B.

Attorney Docket No.: 88-001

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Attention: Office of Petitions
Mail Stop Petitiont
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

on May 20, 2005.



Signature

Mitchell A. Smolow

Typed or printed name of person of signing Certificate

Petition
Replace Drawing Sheets
Postcard

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.